

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RONALD HELMUT WAGNER,

Petitioner,

v.

MICHAEL DITTMAN, Warden,
Red Granite Correctional Institution,

Respondent.

ORDER

12-cv-487-wmc

On July 9, 2012, petitioner Ronald Helmut Wagner filed a skeletal petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 to challenge a state court conviction from St. Croix County. That petition, which consists of two-pages, lists six grounds for relief but contains no supporting facts and information about the challenged conviction. Wagner also indicated that he planned to file a formal petition within thirty days. Since that time, Wagner has paid the filing fee and submitted a box of state court records. Almost six months have passed, however, and Wagner has yet to file a formal petition in compliance with the Rules Governing Section 2254 Cases in the United States District Courts. Rule 2, in particular, requires prisoners to provide grounds for relief along with supporting facts in a particular form.

The court is required to conduct a preliminary review of habeas petitions to determine whether an answer is needed. The court is unable to undertake this review without a formal petition from Wagner. Accordingly, Wagner must submit a formal petition within thirty days, using a form that has been approved for use by state prisoners under 28 U.S.C. § 2254, **or his case will be dismissed.**

ORDER

IT IS ORDERED that petitioner Ronald Helmut Wagner shall file a petition within thirty days of the date of this order using an approved form provided by the clerk's office or a similar form available at the prison law library. **Wagner is advised that if he fails to comply as directed, his case may be dismissed without further notice under Fed. R. Civ. P. 41(b).**

Entered this 5th day of December, 2012.

BY THE COURT:

/s/
WILLIAM M. CONLEY
District Judge